

Application for a Lawful Development Certificate for a Proposed Use or Development

Town and Country Planning Act 1990: Section 192, as amended by Section 10 of the Planning and Compensation Act 1991; Town and Country Planning (Development Management Procedure) (Wales) Order 2012

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Details

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Address Line 1

Address Line 2

Town/city

Postcode

Description of site location (must be completed if postcode is not known)

Easting (x)

Northing (y)

Description

Applicant Details

Applicant Details

Name/Company

Title

Mr

First name

Leyton

Surname

Russ

Company Name

Wall Colmonoy Ltd

Address

Address line 1

Wall Colmonoy

Address line 2

Alloy Industrial estate

Address line 3

Pontardawe

Town/City

Swansea

Country

United Kingdom

Postcode

SA8 4HL

Are you an agent acting on behalf of the applicant?

☐ Yes

☒ No

Contact Details

Primary number

***** REDACTED *****

Secondary number

***** REDACTED *****

Email address

***** REDACTED *****

Description of Proposal

Does the proposal consist of, or include, the carrying out of building or other operations?

- ☒ Yes
- ☐ No

If Yes, please give detailed description of all such operations (includes the need to describe any proposal to alter or create a new access, layout any new street, construct any associated hard-standings, means of enclosure or means of draining the land/buildings) and indicate on your plans (in the case of a proposed building the plan should indicate the precise siting and exact dimensions)

The project is to install a new cryogenic plant, that will include a piled concrete plinth and the erection of a nitrogen tank and associated plant including vaporisers, accumulators and pumps. The dimensions of the plinth are 17.8m x 11.5m. The total height of the nitrogen tank when mounted on the plinth is 14.926m, the tank is 3m diameter.
The plant will be erected in Wall Colmonoys existing boundaries, in the Canal Side yard.

Does the proposal consist of, or include, a change of use of the land or building(s)?

- ☒ Yes
- ☐ No

If Yes, please give a full description of the scale and nature of the proposed use, including the processes to be carried out, any machinery to be installed and the hours the proposed use will be carried out

The project is to install a new cryogenic plant, that will include a piled concrete plinth and the erection of a nitrogen tank and associated plant including vaporisers, accumulators and pumps. The proposed area is currently a yard area.
The dimensions of the plinth are 17.8m x 11.5m. The total height of the nitrogen tank when mounted on the plinth is 14.84m, the tank is 3m diameter. This will then allow Wall Colmonoy to decommission the existing cryogenic plant. The new plant is to be erected alongside the existing cryogenic plant.
The plant will be erected in Wall Colmonoys existing boundaries, in the Canal Side yard.
It is proposed that the plant when installed will operate the same hours as the current plant i.e. 24 hours Monday to Friday and occasional operation on Saturday and Sunday.

If Yes, please fully describe the existing or the last known use, with the date when this use ceased

The current, and last known use, is factory yard space.

Has the proposal been started?

- ☐ Yes
- ☒ No

Grounds for Application

Information about the existing use(s)

Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter or extend are lawful

The existing land is part of Wall Colmonoys current manufacturing facility and is used as yard storage. I believe that the proposal is lawful as it is replacement for the existing cryogenic plant and will not impact on neighbours or the environment.
I believe that the proposal meets the requirements for a Lawful Development Certificate under Class B of Part 8 of the Town and Country Planning (general permitted development) (amendment) (Wales) Order 2014, as it will be carried out on industrial land for industrial purposes i.e. the installation of replacement plant or machinery. Also the development will not exceed 15m in height, the total combined height of the plinth and tank is 14.926m.

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application

If you consider the existing or last use is within a 'Use Class' in the Town and Country Planning (Use Classes) Order 1987 (as amended) state which one:

B2 - General industrial

Information about the proposed use(s)

If you consider the proposed use is within a 'Use Class' in the Town and Country Planning (Use Classes) Order 1987 (as amended), state which one:

B2 - General industrial

Is the proposed operation or use

- ☒ Permanent
☐ Temporary

Why do you consider that a Lawful Development Certificate should be granted for this proposal?

I believe that the proposal meets the requirements for a Lawful Development Certificate under Class B of Part 8 of the Town and Country Planning (general permitted development) (amendment) (Wales) Order 2014, as it will be carried out on industrial land for industrial purposes i.e. the installation of replacement plant or machinery. Also the development will not exceed 15m in height, the total combined height of the plinth and tank is 14.926m.

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- ☒ Yes
☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? (Please select only one)

- ☐ The agent
☒ The applicant
☐ Other person

Pre-application Advice

Has pre-application advice been sought from the local planning authority about this application?

- ☒ Yes
☐ No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title

First Name

***** REDACTED *****

Surname

***** REDACTED *****

Reference

Q2023/0264

Date (must be pre-application submission)

11/12/2023

Details of the pre-application advice received

The pre-application advice stated:

I refer to your correspondence received on 12 December 2023, concerning the above and your request for pre-application planning advice.

Having considered the nature of submission, I respond as follows.

The proposed equipment installation is less than 15m in height. No elevation(s) have been submitted to enable an assessment of the external appearance to be made however please refer to Class B of Part 8 of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2014: <https://www.legislation.gov.uk/wsi/2014/592/made>

If you think you can carry out the development without the need to make a planning application, you can apply for a Lawful Development Certificate to get a formal view from the Council. The following link will take you through to the relevant pages of our website:

<https://www.npt.gov.uk/7008>.

It went on to further state that if I wished to proceed with full planning application that there would be required supporting documentation, that was listed.

During a further telephone discussion held with Ms Hall on 29/01/2024 with regards to which route to be taken, she gave her professional opinion that the Lawful Development Certificate was the correct route.

Authority Employee/Member

With respect to the Authority, is the applicant or agent one of the following:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

Do any of these statements apply to you?

- ☐ Yes
- ☒ No

Interest in the Land

Please state the applicant's interest in the land

- ☒ Owner
- ☐ Lessee
- ☐ Occupier
- ☐ Other

Declaration

I/We hereby apply for Lawful development: Proposed use as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.
I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.
I/We also accept that:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be made available as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☒ I / We agree to the outlined declaration

Signed

Leyton Russ

Date

31/01/2024